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January 24, 2014

**Via E-Mail and First Class Mail**

Allison F. Gardner, Esquire  
Senior Assistant Regional Counsel  
U.S. Environmental Protection Agency, Region III  
1650 Arch Street (3RC60)  
Philadelphia, PA 19103

**Re: North Penn Area 5 Superfund Site  
Docket No. CERC-03-2104-0060DC  
Proposed Administrative Settlement and Order on Consent**

Dear Allison:

This letter provides general and technical comments on behalf of the Respondents, Stabilus, Inc. ("Stabilus") and Constantia Colmar, Inc. ("Constantia"), to the proposed Administrative Settlement and Order on Consent For Removal Response Action (hereinafter referred to as the "Vapor Assessment AOC").

**GENERAL COMMENTS**

Our general comments on the proposed Vapor Assessment AOC are as follows:

- We respectfully request that EPA add language to the proposed Vapor Assessment AOC which would authorize the Respondents to use preemptive mitigation/early action at any point subsequent to the initial sub-slab soil gas sampling in the rear one-third of the Facility Building. EPA's proposed guidance for assessing and mitigating the vapor



Allison F. Gardner, Esquire

January 24, 2014

Page 2

intrusion pathway (draft dated April 2013) states that EPA has legal authority under CERCLA to authorize preemptive mitigation/early action in a vapor assessment AOC and that it is an option that should be available under certain circumstances. Here, the option of preemptive mitigation/early action should be available in this AOC, because the same Respondents are already under an Order requiring remediation of the source of the potential vapor intrusion (TCE in the overburden), and additional sampling beyond the initial sub-slab sampling may become complicated because of operational concerns within Constantia's building (see below).

- Paragraph 17 refers to "modeling conducted by EPA". We would respectfully request a copy of any such modeling be provided to the Respondents for review. Also, we would request that Paragraph 17 be revised to delete language such as "unsafe TCE levels" and "unacceptable cancer and non-cancer risks to persons inside the facility Building". Those risks are speculative, given that no sampling has occurred, it is unclear if any vapors are getting into the building, and the applicable standards for establishing whether TCE levels are safe or unsafe within this building are not stated.
- We would respectfully request a time period longer than 5 business days from the Effective Date of the AOC to submit the RAP (Paragraph 41). We would also respectfully request a time period longer than 20 calendar days to submit the Final Report to EPA (Paragraph 48).

### **TECHNICAL COMMENTS**

Respondents' technical comments are set forth in the attached letter from Geosyntec, our Supervising Contractor and Remedial Design Contractor. Geosyntec will also act as the contractor for any work required under the Vapor Assessment AOC. The attached technical comments prepared by Geosyntec are incorporated herein by reference.

In addition to the technical comments prepared by Helen Dawson and Derek Tomlinson at Geosyntec, Constantia wanted to bring to EPA's attention the following matters relating to operations within the Constantia building that may impact the performance of any vapor assessment:

1. The ink room - This room is classified as a Class 1 Division 1 hazardous location due the presence of stored inks, which present the risk of flammable gases and vapors. The risk



Allison F. Gardner, Esquire

January 24, 2014

Page 3

of a spark from the drilling presents a very serious safety threat. The only way drilling could be conducted in this room would be to completely empty and ventilate the room prior to drilling. However, this is essentially impossible. There are no other safe and appropriate storage locations at the facility.

2. The parts wash room - This room is also a Class 1 Division 1 hazardous location due to the presence of solvents. This room is used for the production process and cleaning of parts of the presses. This room would have to be taken out of service before any drilling could be conducted, which would effectively shut down operations.
3. The press room - Drilling could only be done in this area with certain limitations and precautions. The drilling would need to be away from the printing stations of the presses where inks and solvents are present. It would also have to be managed so that no dust was created, since the press room is used to manufacture wrappers that wrap food materials (candy).
4. Thermal oxidizer - The presence and operation of a permitted thermal oxidizer drawing on the press room raises issues as to whether the effect on air pressure may complicate or invalidate sampling in this area and/or for the entire building.

Respondents respectfully request that EPA take the above operational concerns into consideration in (1) considering whether to include language in the AOC stating that no sub-slab sampling shall be necessary in any area of the building classified as a Class 1, Division 1 hazardous location or where wrappers are manufactured for food-grade products; and (2) considering whether to include language in the AOC authorizing the Respondents to use preemptive mitigation/early action.

If you have any questions, please feel free to give me a call. If you think it would be helpful, we would be more than happy to participate in a meeting or conference call with EPA to further discuss the proposed Vapor Assessment AOC and our general and technical comments.



Fox Rothschild LLP  
ATTORNEYS AT LAW

Allison F. Gardner, Esquire

January 24, 2014

Page 4

Best regards.

Sincerely,

M. Joel Bolstein

MJB:jf

Enclosure

cc: Craig Pospiech  
David Rockman, Esquire  
Derek Tomlinson  
Chris Voci

24 January 2014

**Via Email and Federal Express**

Ms. Sharon Fang (3H521), Remedial Project Manager  
U.S. Environmental Protection Agency – Region III  
1650 Arch Street  
Philadelphia, PA 19103

**Subject: Technical Comments on Proposed Vapor Assessment AOC  
(Docket No. CERC-03-2014-0060DC)  
Operable Unit 2 North Penn Area 5 (NP5OU2) Superfund Site**

Dear Ms. Fang:

On behalf of Stabilus, Inc. (Stabilus), Geosyntec Consultants, Inc. (Geosyntec) has prepared these technical comments to the Proposed Administrative Settlement and Order on Consent for Removal Response Action ('AOC' or 'Order') issued to respondents Stabilus and Constantia-Colmar, Inc. (Constantia), for completion of a vapor intrusion (VI) assessment at Constantia's facility located at 92 County Line Road, Colmar, Pennsylvania ('Site'). Based upon review of the Order, Geosyntec has technical comments pertaining to:

- screening values for VI assessment,
- number of sub-slab samples, and
- phased approach for VI assessment.

The following is a summary of these technical comments.

**SCREENING VALUES FOR VI ASSESSMENT**

The sub-slab screening value proposed by USEPA in Paragraph 40(a) requires justification for use of  $29 \mu\text{g}/\text{m}^3$ . The appropriate threshold for sub-slab screening of individual chemicals at NP5OU2 is the minimum of the USEPA Regional Screening Level (RSL) at a cancer risk of  $1\text{E-}06$  and hazard quotient (HQ) of 1.0. This results in a sub-slab screening value of  $100 \mu\text{g}/\text{m}^3$  with a generic sub-slab attenuation factor of 0.03, which is justified as follows:

- There are only seven COCs that are detected in groundwater: trichloroethene (TCE), tetrachloroethene (PCE), 1,1-dichloroethene (11DCE), cis-1,2-dichloroethene (cDCE),

trans-1,2-dichloroethene (tDCE), 1,1,1-trichloroethane (111TCA), and vinyl chloride (VC).

- Of the above, only six have inhalation toxicity information; cDCE does not.
- With the exception of TCE, the concentrations of the detected compounds with inhalation toxicity information are very low.
- Based on analysis of the maximum groundwater COC concentrations, TCE is the only compound with the potential to pose a health concern due to non-cancer effects, so a threshold of HQ of 1.0 is the appropriate level to consider for developing sub-slab screening level concentrations for this site. This determination is based on the following:
  - The maximum detected ground water concentrations were used to estimate the maximum potential indoor air concentration by using USEPA's default groundwater attenuation factor.
  - Summing the estimated site-specific HQ's of all detected compounds, except TCE, results in a maximum cumulative non-cancer hazard index of 0.05 for these other compounds. A value that is 20 times less than the threshold of 1.0 and 2 times less than a screening threshold of 0.1. In actuality, this estimate is highly conservative, since the default attenuation factors used are for residential settings and attenuation factors for industrial buildings are typically orders of magnitude lower.
  - As stated on USEPA's RSL website, the "rationale for using HQ of 0.1 for screening is that if 10 chemicals were at a site and all narrowly passed a screening at THQ=1.0, the resulting total HI could actually be 10."
  - At this Site, there are not 10 chemicals that are expected to approach a hazard quotient of 1.0, and the chemicals that are present are unlikely to substantially contribute to the non-cancer hazard.
  - Thus, TCE is the only compound with the potential to exhibit appreciable non-cancer hazard and so the appropriate threshold is a HQ of 1.0.

## NUMBER OF SUB-SLAB SAMPLES

USEPA should provide justification for the initial sampling of six (6) sub-slab sampling locations presented in Paragraph 40(a). Based upon conversations with USEPA on 9 December 2013, USEPA indicated that the entire building will require no more than eight (8) sub-slab sampling locations based upon the building footprint size. Thus, this first phase should be less

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than half this total number as only a third of the building is being investigated. A total of four (4) sub-slab samples are proposed for this initial phase.

#### **PHASED APPROACH FOR VI ASSESSMENT**

The Order defines only the first phase of the investigation and does not allow for consideration of the spatial distribution of concentrations obtained from sub-slab sampling in the first phase. A phased approach is recommended. Based upon four sub-slab sampling locations the proposed phased approach is as follows:

- a. Collect four (4) sub-slab samples, three distributed along the southern end of the building and one further north and still within the southern third of the building along the eastern side of the building.
- b. Depending upon the results:
  - If results are less than the soil-gas screening value in all sub-slab locations, no further sampling.
  - If results are greater than the sub-slab screening value in the southern sub-slab samples, but less than in the northern sub-slab sample, no further sub-slab sampling, but recommend indoor air sampling in southern third of building.
  - If results are greater than the sub-slab screening value in the northern sub-slab sample, then have the option to do one of the following:
    - i. collect four additional sub-slab samples where feasible in the building, or
    - ii. collect indoor air samples in appropriate locations in the building, or
    - iii. pre-emptive mitigation.

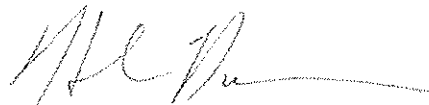
Ms. Sharon Fang  
24 January 2014  
Page 4

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**CLOSING**

If you have any questions please do not hesitate to contact me at (267) 464-2800 or dtomlinson@geosyntec.com.

Sincerely,



Helen E. Dawson, Ph.D.  
Senior Consultant



Derek W. Tomlinson, P.E.  
Project Coordinator

cc: M. Joel Bolstein, FoxRothschild  
Chris Voci, P.G., Geosyntec  
Todd McAlary, Geosyntec  
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